

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER**

CHRISTAPHER DECENT

Plaintiff

v.

4:22-cv-8

NILESH PATEL and

CITY OF MANCHESTER, TENNESSEE,

Defendants

COMPLAINT

The Plaintiff, Christopher DeCent, brings suit against the Defendants as follows:

THE PARTIES

1) During the events described, the Plaintiff, CHRISTAPHER DECENT, was a private citizen of Coffee County, Tennessee.

2) During the events described, Defendant NILESH PATEL was an officer of the Manchester Police Department, acting under color of law. But he is being sued individually.

3) Defendant CITY OF MANCHESTER, TENNESSEE is a municipality and political subdivision of the State of Tennessee. Among other things, it runs the Manchester Police Department.

FACTUAL BACKGROUND

4) On February 06, 2021,¹ Plaintiff DECENT was arrested by multiple Manchester police officers for Evading Arrest, Resisting Arrest, and Driving on a Suspended License.

5) One of the officers involved was Defendant PATEL.

6) The criminal charges basically stemmed from DECENT's decision not to pull over immediately for a traffic stop. Instead, he drove for several blocks to his own residence.

7) Ultimately, after getting out of his car, DECENT assured officers that he was not going to run on foot.

8) DECENT was then ordered to lie face-down on the ground.

9) DECENT then complied.

10) DECENT was then handcuffed.

6) After DECENT had been arrested in this manner, had been handcuffed, and was lying on the ground peacefully — i.e., not giving the police any more trouble — Defendant PATEL stomped on his face and jaw, and then ground his face into the gravel.

7) As a result of this assault, DECENT suffered physical injuries including bruising and ongoing pain for days, and emotional distress.

13) The violation(s) of rights in this case were committed intentionally, maliciously, and/or recklessly, warranting the imposition of punitive damages.

JURISDICTION

14) A federal Court has subject-matter jurisdiction under 28 U.S.C. § 1331 because the civil rights claim listed below is based on a federal question.

¹ February 06 of this present year fell on a weekend.

15) This Court (in Tennessee) has personal jurisdiction because the Defendants are citizens of Tennessee.

16) Venue is proper in the Eastern District of Tennessee (Winchester Division) because the incident happened in Coffee County, Tennessee.

CLAIM FOR RELIEF

**COUNT I
42 U.S.C. § 1983
EXCESSIVE FORCE**

17) The other sections are hereby incorporated by reference.

18) Under color of law, Defendant NILESH PATEL deprived the Plaintiff of his Fourth Amendment right to be free from unreasonable seizures, namely by using excessive force upon him during an arrest.

19) The CITY OF MANCHESTER, TENNESSEE is liable for the same misconduct due to the City's deliberate indifference. Upon information and belief, the City fails to train and supervise its officers to ensure that seizures are conducted in conformance with the Fourth Amendment.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff DeCent asks for the following:

- i) Nominal/compensatory damages of \$50,000,
- ii) Punitive damages in a fair amount to be determined by the trier of fact (sought only against the individual Officer),
- iii) Reasonable attorney's fees, pursuant to 42 U.S.C. § 1988, and
- iv) Any further relief that the Court deems appropriate.

Respectfully submitted,

/s/ Drew Justice

Drew Justice #29247

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